

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

EYNER MORA ESPARZA,

Petitioner,

v.

**DISTRICT COURT OF OKLAHOMA
COUNTY,**

Respondent.

Case No. CIV-19-392-G

ORDER

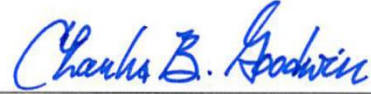
Petitioner, a federal prisoner appearing pro se, brought this action for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Bernard M. Jones for initial proceedings.

On June 12, 2019, Judge Jones entered a Report and Recommendation (Doc. No. 8), in which he recommended the petition be dismissed because Petitioner has not shown that he exhausted his state remedies prior to filing this action. In the Report and Recommendation, Judge Jones advised Petitioner of his right to object to the Report and Recommendation by July 3, 2019. Judge Jones also advised Petitioner that a failure to timely object would constitute a waiver of his right to appellate review of the factual findings and legal conclusions contained in the Report and Recommendation. Petitioner requested and received an extension of time to file an objection, and his deadline was therefore continued to September 12, 2019. *See* Doc. No. 10.

To date, Petitioner has not submitted an objection or any other filing, despite receiving an extension of time to do so. Accordingly, the Report and Recommendation

(Doc. No. 8) is adopted in its entirety. This action is dismissed without prejudice to refiling.

IT IS SO ORDERED this 5th day of November, 2019.



CHARLES B. GOODWIN
United States District Judge